

Georgia

The Government of Georgia established an interministerial Child Referral Mechanism to create a coordinated child protection system. However, there continue to be reports of children working in agriculture and street work. Gaps remain in enforcement and the collection and dissemination of data, which hinders effective targeting of policies and programs to address the worst forms of child labor.



Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	29.1*
Attending School	5-14 yrs.	92.1
Combining Work and School	7-14 yrs.	31.5

* Population of working children: 172,378

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Georgia are engaged in the worst forms of child labor, primarily in agriculture and street work.²²⁸⁶ Many children work on farms²²⁸⁷ where some children may use dangerous machinery and tools, carry heavy loads and apply harmful pesticides.²²⁸⁸

Children are also found working in the streets, primarily engaged either in begging or selling small items such as scrap metal and glass.²²⁸⁹ The majority of street children are boys.²²⁹⁰ Street children and children begging on the streets are exposed to multiple dangers, including severe weather, vehicle accidents and criminal elements. For example, street children have reported being forced to beg or steal in order to repay gambling debts.²²⁹¹

Though not widespread, there have been cases of girls trafficked for commercial sexual exploitation.²²⁹²

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code of Georgia sets the minimum age for work at 16 and the minimum age for hazardous work at 18.²²⁹³ Agricultural activity by minors is not governed by labor legislation.²²⁹⁴

The Government of Georgia has a list of activities considered hazardous for children. Neither begging nor street work are on that list.²²⁹⁵ The Administrative Violations Code empowers the courts to levy sanctions against employers found in violation of child labor laws.²²⁹⁶

The Constitution of Georgia prohibits forced labor.²²⁹⁷ The minimum age for entry into the armed forces is 18.²²⁹⁸

Children in Georgia are required to attend school only until age 14, which leaves children aged 15 vulnerable to the worst forms of child labor as they are not required to be in school, but are not legally permitted to work.²²⁹⁹ Education in Georgia is officially free through high school; however,

many parents must contribute funds for schools to operate, especially in rural areas.²³⁰⁰

Article 171 of the Criminal Code provides sanctions for persuading a minor to beg and involving or employing a minor in prostitution. The Code also prohibits the trafficking of minors and the possession, production, sale, distribution or promotion of child pornography.²³⁰¹ The Code imposes stringent penalties on persons convicted of committing these crimes.²³⁰²

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	14
	Free Public Education	Yes

Enacted in 2006, the Law of Georgia on Combating Human Trafficking establishes the roles and responsibilities of state agencies and creates a comprehensive set of tools to prevent trafficking in persons and protect and assist trafficking victims.²³⁰³

Institutional Mechanisms for Coordination and Enforcement

Although research has found no evidence that the Government of Georgia has established a coordinating mechanism to combat the worst

forms of child labor specifically, the Government has created a body to coordinate on trafficking, including trafficking of children.

The Interagency Anti-Trafficking Coordination Council for the Implementation of Measures against Human Trafficking (ICC) coordinates government efforts against trafficking in persons and children. The ICC is chaired by the Minister of Justice and includes representatives from state agencies and nonstate entities.²³⁰⁴

The Labor Inspectorate was abolished under the 2006 Labor Code, leaving Georgia without a means to actively monitor workplaces for violations of child labor laws.²³⁰⁵

The Ministry of Labor, Health and Social Affairs is responsible for the enforcement of child labor laws. The Ministry's Department of Social Protection focuses on policy recommendations related to child adoption, foster care and the rights of children, including child labor.²³⁰⁶ The Child Protection and Social Programs subdepartment has 12 specialists responsible for developing policies to protect children from illegal labor. The subdepartment also receives and forwards complaints of child labor violations to the Ministry's Social Service Agency and law enforcement agencies for investigation and potential prosecution.²³⁰⁷ This complaint mechanism is not widely used, however, and no complaints have been received in recent years.²³⁰⁸ The Ministry of Labor, Health and Social Affairs' Social Service Agency implements the policies of the Department of Social Protection.²³⁰⁹ The agency will assess cases of actual and potential child victims and determine how to proceed either through consulting, oversight or placement of the child in special premises.²³¹⁰

On May 31, 2010, the Minister of Labor, Health and Social Affairs, Minister of Interior and Minister of Education and Science initiated the joint Child Referral Mechanism which enumerates procedures for referring children subject to any

form of violence, including labor exploitation, to child protective services. The decree is aimed at creating a coordinated child protection system.²³¹¹

In 2010, the Government of Georgia's prosecutor's office registered two alleged offenses for involving children in begging or prostitution. One case has been investigated while investigation of the other case is ongoing.²³¹²

The protection of minors from participation in the worst forms of child labor is a priority of the Ministry of Internal Affairs (MoIA).²³¹³ Police and district inspectors maintain contact with district inhabitants to obtain information on children vulnerable to crime and abuse and take protective measures.²³¹⁴ MoIA's Special Operations Department leads criminal investigations of trafficking in persons, including the trafficking of children, and turns actionable cases over to the Ministry of Justice for prosecution.²³¹⁵

Law enforcement training includes an annual module on trafficking in minors. Government officials from a variety of agencies also attend training and seminars on trafficking in persons.²³¹⁶

The prosecutor's office did not register any offenses relating to child pornography or trafficking of minors in the reporting period.²³¹⁷

Government Policies on the Worst Forms of Child Labor

The Children's Action Plan 2008–2011 (CAP) establishes an overarching framework to improve the welfare of children, including support to street children and victims of trafficking and exploitation.²³¹⁸ According to a 2009 UNICEF-funded report, the Government has not fully funded the CAP.²³¹⁹

The Government of Georgia participates in several initiatives to improve national action plans and legal frameworks on combating trafficking in persons in Armenia, Azerbaijan and Georgia.²³²⁰ The Government instituted a 2009–2010 action

plan on the Fight Against Trafficking in Human Beings to improve anti-trafficking efforts. Measures included educational programs in schools to raise awareness of the risk of trafficking and training for law-enforcement officials and lawyers in dealing with minors.²³²¹ A 2011–2012 action plan on trafficking has been drafted and awaits the president's approval.²³²²

The Government has not collected data on the worst forms of child labor, hampering its ability to formulate policies and programs.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government has worked largely in cooperation with international organizations, NGOs and foreign aid agencies to improve the welfare of children and address the plight of street children. The Government implemented a voucher system for street children, enabling them to receive support from NGOs.²³²³ Children who do not have proper documentation or legal status, however, are unable to receive the vouchers. During the reporting period, USAID funding was directed at working with the Government and NGOs to address this issue.²³²⁴

The Government also continued its support for Rebuilding Lives Project, a USAID-funded initiative that includes provision of services to vulnerable children, including children working in the streets, service provider capacity building, public awareness activities and policy reform.²³²⁵

The Government of Georgia earmarked approximately \$5 million in 2010 to provide free textbooks to children of families living in poverty and has designated another \$4.4 million in 2011 for this purpose.²³²⁶ The question of whether this program has an impact on the worst forms of child labor does not appear to have been addressed.

The Law of Georgia on Combating Human Trafficking established the State Fund for

Protection and Assistance of (Statutory) Victims of Human Trafficking (SFVPA) to protect, assist and rehabilitate trafficking victims.²³²⁷ The SFVPA implements the Government's Rehabilitation and Reintegration Strategy and operates the country's two trafficking shelters in Batumi and Tbilisi.²³²⁸ In addition, the SFVPA funds the Assistance to Victims of Trafficking in Persons hotline and related website. The Ministry of Justice also supports a hotline for reporting on human rights abuses, including trafficking.²³²⁹

The Swiss Agency for Development and Cooperation funded the "Secondary Education to Contribute to the Prevention of Trafficking in Persons" program to raise awareness of the risks of human trafficking among young people in Azerbaijan, Armenia and Georgia.²³³⁰ The project

was funded at approximately \$1.2 million over the period November 2008–October 2010.²³³¹ The Ministry of Education and Science of Georgia was closely involved in the program and agreed to integrate an anti-trafficking module into the national school curriculum. Textbooks with the educational materials were produced for teachers and students and teachers were trained to deliver the lessons.²³³² The books are free and were disseminated in schools across the country. Other support materials such as a video, television clip and posters were also produced.²³³³

Current efforts do not appear to be sufficient to reach all children working in the streets. Research found no evidence of any programs to assist children engaged in agriculture.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Georgia:

IN THE AREA OF LAWS AND REGULATIONS:

- Enact strict legal protections for children engaged in begging and for those working in agriculture and street work.
- Increase the age of compulsory schooling to 16, the minimum age for work.
- Ensure that all children may realize free education through high school.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a mechanism to coordinate child labor efforts across the government.
- Reestablish the Labor Inspectorate, or establish an equivalent body, to enforce child labor legislation.
- In addition to undertaking inspections in response to complaints, actively target inspections to areas where children are known to work.

IN THE AREA OF POLICIES:

- Collect data on children engaged in the worst forms of child labor, specifically in agriculture and street work, in order to inform policies and programs.
- Ensure that sufficient resources are available to fully implement the Children's Action Plan.
- Approve the new 2011–2012 Action Plan on Trafficking.

IN THE AREA OF PROGRAMS:

- Assess the impact that the program to assist families with educational expenses may have on removing children from the worst forms of child labor.
- Expand and develop social programs to assist children engaged in or at risk of entering the worst forms of child labor, particularly children working in the streets and in agriculture.

²²⁸⁶ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2011. Data on working children and school attendance are from 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

²²⁸⁷ U.S. Embassy- Tbilisi, *reporting, February 28, 2011*.

²²⁸⁸ ILO-IPEC, *Children in hazardous work*, Geneva, 2011, 21-23; available from <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=17035>.

²²⁸⁹ U.S. Department of State, "Georgia," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, section 6; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/eur/154425.htm>. See also U.S. Embassy-Tbilisi, *reporting, February 28, 2011*. See also Katarzyna Wargan and Larry Dershem, *Don't Call Me a Street Child: Estimation and Characteristics of Urban Street Children in Georgia*, March 2009, 57; available from [http://www.unicef.org/georgia/Street_children_survey.eng\(1\).pdf](http://www.unicef.org/georgia/Street_children_survey.eng(1).pdf).

²²⁹⁰ Dershem, *Don't Call Me a Street Child*, 21.

²²⁹¹ *Ibid.*, 59.

²²⁹² U.S. Department of State, "Georgia," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/142760.htm>.

²²⁹³ The Labor Code prohibits "under-aged" persons from engaging in hazardous work. The Civil Code of Georgia defines an under-aged person as someone under 18 years of age. Government of Georgia, *Labor Code of Georgia*, (2006), article 4; available from http://www.vertic.org/media/National%20Legislation/Georgia/GE_Labor_Code.pdf. See also Government of Georgia, *The Civil Code of Georgia*, (2001), article 12(2); available from <http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/geo/CIVILCODE.pdf>.

²²⁹⁴ U.S. Embassy- Tbilisi, *reporting, February 28, 2011*.

²²⁹⁵ U.S. Embassy- Tbilisi official, E-mail communication to USDOL official, September 16, 2010.

²²⁹⁶ U.S. Embassy- Tbilisi, *reporting, February 28, 2011*.

²²⁹⁷ Government of Georgia, *The Constitution of Georgia*, (1995), article 30; available from http://www.parliament.ge/files/68_1944_951190_CONSTIT_27_12.06.pdf.

²²⁹⁸ Coalition to Stop the Use of Child Soldiers, "Georgia," in *Child Soldiers Global Report 2008*, London, 2008; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

²²⁹⁹ U.S. Embassy- Tbilisi, *reporting, February 28, 2011*.

²³⁰⁰ U.S. Department of State, "Country Reports- 2010: Georgia," section 6.

²³⁰¹ Government of Georgia, *Criminal Code of Georgia*, (1999), article 171; available from <http://legislationline.org/documents/section/criminal-codes>. See also U.S. Embassy-Tbilisi, *reporting, February 28, 2011*.

²³⁰² U.S. Embassy- Tbilisi, *reporting, February 28, 2011*.

²³⁰³ Government of Georgia, *Law of Georgia on Combating Human Trafficking*, (2006), article 13; available from http://www.traccc.cdn.ge/documents/human-trafficking/Law_Georgia_Human_Trafficking_eng.pdf. See also U.S. Embassy- Tbilisi, *reporting, March 11, 2010*.

²³⁰⁴ Government of Georgia, *Trafficking Law*, article 10. See also U.S. Embassy- Tbilisi, *reporting, March 11, 2010*. See also ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labor Convention (No. 182) Georgia (ratification: 2002): 2009*, May 5, 2011; available from <http://www.ilo.org/ilolex/english/iloquery.htm>.

²³⁰⁵ ILO Committee of Experts, *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Georgia (ratification: 1996) Submitted: 2009*, May 5, 2011; available from <http://www.ilo.org/ilolex/english/iloquery.htm>.

²³⁰⁶ U.S. Department of State, "Country Reports- 2010: Georgia," section 7. See also U.S. Embassy- Tbilisi, *reporting, February 28, 2011*.

²³⁰⁷ U.S. Department of State, "Country Reports- 2010: Georgia," section 7. See also U.S. Embassy- Tbilisi, *reporting, February 28, 2011*.

²³⁰⁸ U.S. Embassy- Georgia official, E-mail communication to USDOL official, July 08, 2011.

²³⁰⁹ U.S. Department of State, "Country Reports- 2010: Georgia," section 7.

²³¹⁰ U.S. Embassy- Georgia official, Email communication, July 08, 2011.

²³¹¹ U.S. Embassy- Tbilisi, *reporting, February 28, 2011*. See also U.S. Department of State, "Country Reports- 2010: Georgia," section 6.

²³¹² U.S. Embassy- Tbilisi, *reporting, February 28, 2011.*

²³¹³ ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Georgia (ratification: 2002) Submitted: 2011, May 05, 2011*; available from <http://www.ilo.org/ilolex/english/iloquery.htm>.

²³¹⁴ ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Georgia (ratification: 2002) Submitted: 2009, May 05, 2011*; available from <http://www.ilo.org/ilolex/english/iloquery.htm>. See also ILO Committee of Experts, *Individual Direct Request C182: Georgia (2011)*.

²³¹⁵ U.S. Embassy- Tbilisi, *reporting, March 11, 2010.* See also U.S. Embassy- Georgia official, Email communication, July 08, 2011.

²³¹⁶ U.S. Embassy- Tbilisi, *reporting, February 28, 2011.*

²³¹⁷ Ibid.

²³¹⁸ UN Committee on the Rights of the Child, *Additional Information on the Implementation of the Convention on the Rights of the Child in Respect of the Third Periodic Report due in 2006: Georgia*, prepared by Government of Georgia, pursuant to Article 44 of the Convention on the Rights of the Child, 2007, Annex X; available from http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/Additionalinformation_48Georgia.doc and http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/part2_48Georgia.doc, *ibid*.

²³¹⁹ Clare O'Brien and Tata Chanturidze, *UNICEF: Assessment of Child Welfare Reform Process in Georgia*, UNICEF, Tbilisi, 2009; available from http://www.unicef.org/georgia/OPM_report_edited.pdf.

²³²⁰ Anti-Trafficking.Net, *Activities, Commonwealth of Independent States*, [online] [cited May 6, 2011]; available from <http://www.anti-trafficking.net/91.html?&F=Iwjccwbo>.

²³²¹ U.S. Embassy- Tbilisi, *reporting, February 28, 2011.*

²³²² Ibid.

²³²³ Ibid.

²³²⁴ Ibid.

²³²⁵ USAID, *USAID Celebrates Rebuilding Lives Project Successes*, Press Release, Tbilisi, September 2, 2010; available from <http://georgia.usaid.gov/news/press-releases/2010/09/02/391>.

²³²⁶ U.S. Embassy- Tbilisi, *reporting, February 28, 2011.*

²³²⁷ Government of Georgia, *Trafficking Law*, article 9. See also U.S. Embassy- Tbilisi, *reporting, February 28, 2011.*

²³²⁸ U.S. Embassy- Tbilisi, *reporting, March 11, 2010.*

²³²⁹ U.S. Embassy- Tbilisi, *reporting, February 28, 2011.*

²³³⁰ IOM, *IOM Launches Regional Programme to Prevent Human Trafficking in Azerbaijan, Armenia, and Georgia*, Press Briefing Notes, Tbilisi, February 17, 2009; available from <http://www.iom.ge/index.php?activities&counter&victims&photo>.

²³³¹ IOM Azerbaijan, *IOM Azerbaijan Mission*, [online] [cited July 21, 2011]; available from http://iom.az/IOM.files/IOM_Azerbaijan.pps#443,7, .

²³³² IOM, *IOM Programme to Prevent Human Trafficking, Press Notes.*

²³³³ Ibid.